

Amendments to the Claims:

This listing of claims will replace all prior versions, and listings, of claims in the application.

Listing of Claims:

Claim 1 (currently amended): An answering machine detection method for a voice message delivery system, comprising ~~the steps of:~~

- (a) placing an outbound call to a telephone line of a Recipient;
- (b) detecting a telephone line pick-up;
- (c) playing a prompt; and
- (d) determining, at a voice message server, that the telephone line pick-up was by an existing answering machine if there is when talk-over during occurs at the same time as at least a portion of the playing of the prompt, the talk-over comprising voice energy coming from the telephone line of the Recipient.

Claim 2 (cancelled)

Claim 3 (currently amended): The answering machine detection method of ~~Claim~~ 1 further comprising ~~the steps of:~~

- (e) waiting for silence if when the telephone line pick-up was by the existing answering machine;
- (f) playing a first message if when the telephone line pick-up was by the existing answering machine; and
- (g) playing a second message if when the telephone line pick-up was by a live Recipient.

Claim 4 (currently amended): The answering machine detection method of ~~Claim~~ 3 further comprising ~~the steps of:~~

- (h) detecting talk-over by the existing answering machine during the playing of the first message if the telephone line pick-up was by the existing answering machine; and
- (i) restarting the playing of the first message if the telephone line pick-up was by the existing answering machine and talk-over is detected during playing of the message.

Claim 5 (currently amended): The answering machine detection method of ~~C~~claim 3, wherein ~~step (f) comprises:~~

~~playing at~~the first message ~~if the telephone line pick-up was by the existing answering machine;~~


~~and further wherein step (g) comprises:~~

~~playing a second message~~is different from the ~~first~~second message ~~if the telephone line pick-up was by the live Recipient.~~

Claim 6 (currently amended): The answering machine detection method of ~~C~~claim 3, ~~wherein step (g) comprises~~ further comprising:

~~playing a message and~~(h) playing at least one interactive option ~~if~~when the telephone line pick-up was by the live Recipient.

Claim 7 (currently amended): The answering machine detection method of ~~C~~claim 6 3, ~~wherein step (g) comprises~~further comprising:

 (i) playing at least one interactive reject option, ~~playing a message, and playing at least one interactive option if~~ when the telephone line pick-up was by the live Recipient.

Claim 8 (currently amended): An answering machine detection method for a voice message delivery system, ~~comprising the steps of:~~

(a) placing an outbound call to a telephone line of a Recipient;
(b) detecting a telephone line pick-up;
(c) playing, by a voice message server, a first voice message to the telephone line of the Recipient;

(d) playing, by the voice message server, a second voice message, different from the first voice message, that requests a touch-tone input from the telephone line of the Recipient, wherein the second voice message is spaced from the first voice message; and

(e) determining, after the playing of the first and second voice messages, that the telephone line pick-up was by a live Recipient ~~if~~when the requested touch tone input is received at the voice message server.

Claim 9 (currently amended): An answering machine detection method for a voice message delivery system, comprising ~~the steps of~~:

- (a) recording, by a Sender, a voice message intended for a Recipient;
- ~~(a)~~(b) placing an outbound call to a telephone line of the Recipient of the voice message;
- ~~(b)~~(c) detecting a telephone line pick-up;
- ~~(e)~~(d) requesting, by a voice message server, a specific speech input from the telephone line of the Recipient of the voice message; and
- ~~(d)~~(e) determining that the telephone line pick-up was by a live Recipient of the voice message when if the requested specific speech input is received from the telephone line of the Recipient of the voice message at the voice message server.

Claim 10 (currently amended): The answering machine detection method of ~~Claim~~ 1, wherein ~~step (e) comprises: the playing of the prompt occurs~~ within one second of detecting the telephone line pick-up.

U Claim 11 (currently amended): The answering machine detection method of ~~Claim~~ 1, ~~wherein step (e) comprises: further comprising detecting the voice energy after detecting the telephone line pick-up;~~ and wherein the playing of the prompt occurs within one second of detecting the voice energy.

Claim 12 (currently amended): The answering machine detection method of ~~Claim~~ 1, ~~wherein step (e) comprises: further comprising detecting the voice energy and an end of the voice energy after detecting the telephone line pick-up;~~ and wherein the playing of the prompt occurs within one second of detecting the end of the voice energy.

Claim 13 (currently amended): The answering machine detection method of ~~Claim~~ 1, wherein ~~step (e) comprises: the playing of the prompt that introduces the outbound call to a live Recipient.~~

Claim 14 (currently amended): The answering machine detection method of ~~Claim~~ 13, wherein ~~step (e) comprises: playing a prompt that introduces the outbound call to a live Recipient by playing a~~ the prompt is selected from the group consisting of "This is a message from [Sender's name]," "This is a call from [Sender's name]," and "[Sender's name] has sent you a message."

Claim 15 (currently amended): An apparatus for detecting an answering machine for a voice message delivery system, the apparatus comprising a voice message server connectable to a telephone communications system, wherein the voice message server operates to:

- (a) place an outbound call to a telephone line of a Recipient;
- (b) detect a telephone line pick-up;
- (c) play a prompt; and
- (d) determine that the telephone line pick-up was by an existing answering machine if there is when talk-over during occurs at the same time as at least a portion of the playing of the prompt, the talk-over comprising voice energy coming from the telephone line of the Recipient.

Claim 16 (cancelled)

Claim 17 (currently amended): The apparatus ~~for detecting an answering machine for a voice message delivery system of~~ Claim 15, wherein the voice message server additionally operates to:

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- (e) wait for silence if when the telephone line pick-up was by the existing answering machine;
 - (f) play a first message if when the telephone line pick-up was by the existing answering machine; and
 - (g) play a second message if when the telephone line pick-up was by a live Recipient.

Claim 18 (currently amended): The apparatus ~~for detecting an answering machine for a voice message delivery system of~~ Claim 17, wherein the voice message server additionally operates to:

- (h) detect talk-over by the existing answering machine during the playing of the first message if the telephone line pick-up was by the existing answering machine; and
- (i) restart the playing of the first message ~~if the telephone line pick-up was by the existing answering machine and talk-over is detected during playing of the message.~~

Claim 19 (currently amended): The apparatus ~~for detecting an answering machine for a voice message delivery system of~~ Claim 17, wherein the voice message server in ~~step (f)~~ operates to:

play athe first message if the telephone line pick-up was by the existing answering machine;

and further wherein the voice message server in ~~step (g)~~ operates to:

play a second message is different from the first second message ~~if the telephone line pick-up was by the live Recipient.~~

Claim 20 (currently amended): The apparatus ~~for detecting an answering machine for a voice message delivery system of~~ Claim 17, wherein the voice message server in ~~step (g)~~ additionally operates to:

(f) ~~play the message and~~ (h) play at least one interactive option ~~if~~ when the telephone line pick-up was by the live Recipient.

Claim 21 (cancelled)